



**FILED**

AUG 28 2006

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS  
EAST ST. LOUIS OFFICE  
DOCKET NOS. 1657 AND 1699  
M 05-1699 C123

**FILED**

AUG 22 2006

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

AUG 15 2006

FILED  
CLERK'S OFFICE

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**MDL-1657 – IN RE VIOXX MARKETING, SALES PRACTICES AND  
PRODUCTS LIABILITY LITIGATION**

**MDL-1699 – IN RE BEXTRA AND CELEBREX MARKETING, SALES  
PRACTICES AND PRODUCTS LIABILITY LITIGATION**

*Irene Anders, et al. v. Merck & Co., Inc., et al.*, S.D. Illinois, C.A. No. 3:06-472

**ORDER LIFTING STAY OF CTO-57 IN MDL-1657,  
SEPARATING AND REMANDING CERTAIN CLAIMS,  
AND LIFTING STAY OF CTO-30 IN MDL-1699  
AND VACATING THE SEPTEMBER 28, 2006 HEARING SESSION**

On July 10, 2006, the Panel filed an order conditionally i) transferring this action (*Anders*) to the Eastern District of Louisiana in MDL-1657, ii) separating the Bextra/Celebrex claims in *Anders* and remanding them to the Southern District of Illinois, and iii) transferring the resulting Bextra/Celebrex action to the Northern District of California in MDL-1699. Prior to expiration of that order's 15-day stay of transmittal, plaintiffs in *Anders* filed a notice of opposition to the proposed transfers. Plaintiffs subsequently failed to file the required motion and brief to vacate the conditional transfer order.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-57" in MDL-1657 filed on July 10, 2006, is LIFTED insofar as it relates to this action, and thus the action is transferred to the Eastern District of Louisiana for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Eldon E. Fallon.

IT IS FURTHER ORDERED that the claims in this action relating to Bextra and/or Celebrex are separated and remanded, pursuant to 28 U.S.C. § 1407(a), to the Southern District of Illinois.

IT IS FURTHER ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-30" in MDL-1699 is lifted insofar as it relates to the resulting Bextra/Celebrex action, and thus this action is transferred to the Northern District of California

*P.C. Fauts*  
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for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Charles R. Breyer.

IT IS FURTHER ORDERED that the Hearing Session Order and the attached Schedule filed on August 10, 2006, are VACATED insofar as they relate to this action.

FOR THE PANEL:



Wm. Terrell Hodges  
Chairman

**RECEIVED**

AUG 28 2006

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SOUTHERN DISTRICT OF ILLINOIS  
EAST ST. LOUIS OFFICE

